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Making a complaint

How to make a complaint about a landlord

The [Tenancy Services website \(external link\)](#) has information to help tenants address problems with their landlord, including using mediation or going to the [Tenancy Tribunal\(external link\)](#) if matters cannot be resolved. Free advice is also available from Tenancy Services on 0800 836 262.

If you are a tenant with a complaint about a CHP landlord registered with us, we encourage you to use all available, lawful methods to resolve the matter with them before approaching the Community Housing Regulatory Authority (CHRA).

CHPs must have processes in place to resolve disputes with tenants, and you should use these processes first. The [rights and obligations of landlords and their tenants\(external link\)](#) are outlined in the [Residential Tenancies Act 1986\(external link\)](#).

If the landlord's complaint process does not produce an outcome that is satisfactory to you, speak to Tenancy Services, and consider seeking a formal decision from the Tenancy Tribunal.

Things to consider before making a complaint

Any person can make a written complaint to CHRA about a registered CHP if they believe the CHP has breached the eligibility criteria and/or Performance Standards.

Before you make a complaint:

- [Find out if a CHP is registered\(external link\)](#)
- Check whether the conduct may amount to a breach of the [eligibility criteria for registration\(external link\)](#)
- Check whether the conduct may amount to a breach of the [Performance Standards\(external link\)](#).

What to include with your complaint

To help us to properly consider your complaint, please provide this information along with your written complaint:

- Your name and contact details
- A brief description of the matter that has led to the complaint, including relevant dates, places, and times
- Copies of any relevant documentation and other supporting information
- Details of which [Performance Standard](#) or [eligibility criteria](#) you believe have been breached.

What matters justify a complaint?

Any person may complain to us in writing about a registered CHP not meeting the [eligibility criteria\(external link\)](#) or [Performance Standards\(external link\)](#).

The types of issues that may justify a complaint include conduct by a registered CHP or its personnel that:

- shows the CHP's management is unsafe, inefficient, or ineffective
- is unfair, unresponsive, or lacking in transparency in dealing with tenants
- does not meet relevant property condition standards
- is serious wrongdoing that has the potential to damage the reputation of the community housing sector.

The Performance Standards are minimum standards of systems and processes that a CHP must have or implement in providing tenancy services, managing property and assets, and managing its finances.

Complaints we won't investigate

CHRA prioritises complaints involving systemic, serious, or ongoing failures to comply with the Performance Standards. We may not investigate specific tenant complaints. Our focus is on systemic CHP sector issues.

We will not investigate complaints:

- considered frivolous or vexatious, including complaints about trivial matters of little weight or importance, or with no sound basis
- not about registered CHPs
- that clearly does not amount to a registered CHP's failure to comply with the eligibility criteria or Performance Standards.

Advocacy services

If you need help to write a letter of complaint to us about a registered CHP, you can ask the [Citizens Advice Bureau\(external link\)](#) - Freephone (0800 367 222).

Alternatively, you can contact your nearest [Community Law Centre\(external link\)](#).

Where applicable, you can also ask the Office of the [Health and Disability Commissioner \(external link\)](#) for assistance on making a complaint - Freephone 0800 11 22 33 and email: hdc@hdc.org.nz.

Confidentiality

Under the legislation, we must provide the concerned CHP with information about the complaint. You may request that your identity as a complainant be kept confidential and we will try to comply where possible. However, depending on the circumstances your identity may already be obvious, or we may need to disclose your identity to investigate fairly and effectively.

Hearing back about your complaint

We will acknowledge receipt of your written complaint within five working days. At this time, we will also notify the provider concerned.

We will consider whether the complaint relates to an alleged failure by the CHP to meet any of the eligibility criteria or Performance Standards, and then notify you and the CHP whether we will be investigating the complaint.

If we decide to investigate, our investigation must be completed within 20 working days from the time the complaint is received. If the investigation cannot be completed within that time, we will notify you in writing about the delay, the reasons why, and the new time we are working to.

We may contact you to discuss the resolution you seek, or to seek any additional information. We may also contact other people who can provide information relevant to the investigation.

Throughout the complaints process, we can require any person to supply information or produce documents for evidence that a failure has been remedied.

Natural justice

We will investigate the complaint by observing the principles of natural justice. This means we will act fairly and without bias and give CHPs, who may be adversely affected by our investigation powers and processes, a right to be heard. We will give reasons for our decisions.

Notification of decision and follow up

As soon as practicable after investigating the complaint, we will notify you and the CHP of the outcome in writing. If applicable, we will request that the CHP remedies the failure.

The complaint must be remedied within a reasonable timeframe of not less than 14 days. If we believe the failure could result in serious harm to any occupants of any house the CHP is responsible for, we can reduce the compliance time.

In the event of a CHP's refusal to remedy identified failures, we may consider suspension or revocation of its registration.

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